REMARKS

Claims 1-37 are pending in the present Application. Applicant has amended claims 1, 6, 7, 20, 25, and 26. Consequently, claims 1-37 remain pending in the present Application.

Applicant has amended claims 7 and 26 to be in independent form. Applicant has also amended claims 6 and 25 to correct a minor error. Consequently, Applicant respectfully submits that the amendments to claims 6, 7, 25, and 26 do not alter the scope of claims 6, 7, 25, and 26. Applicant has amended claims 1 and 20 to recite that at least one default is altered using a tag stored in the image files for a portion of the images. Support for the amendment can be found in the specification, page 11, line 22-page 12, line 2.

In the above-identified Office Action, the Examiner rejected claims 1, 5-20, and 24-37 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,459,511 (Haneda). The Examiner rejected claims 2, 3, 21, and 22 under 35 U.S.C. § 103 as being unpatentable over Haneda in view of U.S. Patent No. 5,963,916 (Kaplan). The Examiner also rejected claims 4 and 23 under 35 U.S.C. § 103 as being unpatentable over Haneda in view of U.S. Patent No. 6,324,545 (Morag).

In the above-identified Office Action, the Examiner rejected claims 1, 5-20, and 24-37 under 35 U.S.C. § 102 as being anticipated by Haneda.

Applicant respectfully traverses the Examiner's rejection. Claims 1 and 20 recite a method and system, respectively, for providing an album to a user. The method recited in claim 1 includes the steps of allowing the user to set defaults for the album and receiving images and information, if any, from the user. The information can alter one or more of the defaults. Claim 1 also recites that the receipt of such information can include receiving a tag stored in the image file(s) for a first portion of the images. The tag is for altering one or more of the defaults for the first portion of the images. The method recited in claim 1 also alters the default if the user has provided such information, provides pages in the album using the (possibly altered) defaults, and allows the user

access to the pages provided. Claim 20 recites an analogous system that includes a storage

subsystem and a server. Claim 20 also recites that the information that can alter the defaults

includes a tag stored in image file(s) for a first portion of the plurality of images and that the tag

is for altering the at least one default for the first portion of the plurality of images.

Haneda fails to teach or suggest the system and method recited in claims 1 and 20. Haneda

describes a system in which a user provides film to a "laboratory" for processing, including

formation of digital images. Haneda, col. 3, lines 10-30 and col. 19, lines 32-39. The user can also

provide instructions including items such as the number of copies of each print and the size of each

print. Haneda, col. 22, lines 49-56. The processed images are converted to digital images through

the use of a film reader. Haneda, col. 19, lines 40-47. After digitization, a label including a bar

code that represents the identification of the film is placed upon the developed film and, in some

instances, the disk including the digitized images. Haneda, col. 19, lines 57-60. The disk includes

an "album" which is defined as "a collection of image data obtained from one roll of photographic

film." Haneda, col. 36, lines 25-26. Using a playback machine, the user can play various images

on the disk and, when sound is added, play a slide show. Haneda, col. 36, lines 12-60. In addition,

the user can provide the disk and order data to the laboratory for additional prints. Haneda, col. 20,

lines 20-25 and 37-59.

Haneda fails to teach or suggest the combination of elements recited in claims 1 and 20. In

particular, Haneda fails to teach or suggest a method or system in which information, in the form of

a tag stored in image file(s) for a portion of the images, is received from the user that would change

user-set defaults. Haneda describes a method for obtaining digitized images from a photographic

roll of film. Once the images have been digitized on a disk, additional order information can be

included on the disk or otherwise transmitted to the laboratory. Using this information, the

laboratory of Haneda can provide additional prints to the user. However, Applicant has found no

indication in the cited portions of Haneda that the information, in the form of tags stored in the image files, that would change the user-set defaults is provided from the user. Applicant respectfully submits that such a feature would be contrary to the teachings of Haneda. Haneda discloses that the laboratory stores the image in a digital format, rather than the user storing the image data. Thus, the laboratory controls the information stored in the image files. Information from the user that would change defaults would not, therefore, be stored by the laboratory. Instead, the user would have to add data to the disk indicated the desired features, for example in the order data of Haneda. Applicant has found no indication in Haneda that such order data is made part of image files. Consequently, Haneda fails to teach or suggest the method and system recited in claims 1 and 20.

Moreover, Haneda fails to describe a method or system in which the user provides "images captured using a digital camera". Instead, the system of Haneda operates on film and provides the user with images stored in a digital format. Haneda, Abstract. Applicant can find no mention in Haneda of the digitized images originating with the user. Instead, the user provides the laboratory of Haneda with film, receives a digital format back and, subsequently, may provide the disk back to the laboratory for additional prints. Haneda, col. 3, lines 9-30. Consequently, Haneda also fails to teach or suggest this feature recited in claims 1 and 20.

The teachings of Kaplan and Morag fail to alter this conclusion. Kaplan describes a system in which multimedia can be viewed and, if desired, purchased by a user. Kaplan, col. 15, lines 40-67. The cited portion of Kaplan makes no mention of providing tags in image files, of allowing a user to provide images captured using a digital camera, or of tags being used to alter user-set defaults. Morag describes a system in which digital images and instructions are provided. Morag, col. 7, line 15-58. Although Morag functions for its intended purpose, Applicant has found no mention in Morag of providing information, in the form of tags stored in image files, which alters

user-set defaults. Consequently, even if the teachings of Kaplan and/or Morag were added to the teachings of Kaplan, the combination would fail to teach or suggest the method and system recited in claims 1 and 20, respectively. Accordingly, Applicant respectfully submits that claims 1 and 20 are allowable over the cited references.

Claims 5-6 and 8-19 depend upon independent claim 1. Claims 24-25 and 27-37 depend upon independent claim 20. Consequently, the arguments herein apply with full force to claims 5-6, 8-19, 24-25 and 27-37. Accordingly, Applicant respectfully submits that claims 5-6, 8-19, 24-25 and 27-37 are allowable over the cited references.

Applicant respectfully traverses the Examiner's rejection of claims 7 and 26. Claim 7 recites that the mechanism for allowing the user to hear sound for a portion of the images includes a printed stripe playable by a scanning device. Claim 7 also recites that the scanning device is provided to the user. Claim 26 recites an analogous system.

Haneda fails to teach or suggest the combination of elements recited in claims 7 and 20 including providing a mechanism for the user to hear sound associated with an image by providing a printed stripe playable by a scanning device and providing the scanning device. Haneda describes a system in which sound is playable through a playback device that plays the disk provided to the user. Haneda, col. 36, lines 12-60. Haneda also describes providing a printed label that identifies the disk. Haneda, col. 19, lines 57-60. However, Applicant has found no mention in the cited portions of Haneda of printing a stripe that allows sound to be played. Instead, the printing of the label and playback of the sound are apparently performed using different mechanisms. Consequently, Haneda fails to teach or suggest this feature recited in claims 7 and 26.

The addition of Kaplan and/or Morag does not change this conclusion. Applicant has found no mention in the cited portion of Kaplan and Morag of printing a stripe and providing a scanner to play the stripe to allow a user to hear sound associated with an image. A combination of Haneda

and Kaplan and/or Morag thus fail to teach or suggest printing a stripe and providing a scanner to play the stripe to allow a user to hear sound associated with an image. Accordingly, Applicant respectfully submits that claims 7 and 26 are allowable over the cited references.

The Examiner rejected claims 2, 3, 21, and 22 under 35 U.S.C. § 103 as being unpatentable over Haneda in view of Kaplan.

Applicant respectfully traverses the Examiner's rejection. Claims 2-3 and 21-22 depend upon claims 1 and 20, respectively. Accordingly, the arguments herein with respect to Haneda and Kaplan apply with full force to claims 2-3 and 21-22. Accordingly, Applicant respectfully submits that claims 2-3 and 21-22 are allowable over the cited references.

The Examiner also rejected claims 4 and 23 under 35 U.S.C. § 103 as being unpatentable over Haneda in view of Morag.

Applicant respectfully traverses the Examiner's rejection. Claims 4 and 23 depend upon claims 1 and 20, respectively. Accordingly, the arguments herein with respect to Haneda and Kaplan apply with full force to claims 4 and 23. Accordingly, Applicant respectfully submits that claims 4 and 23 are allowable over the cited references.

Accordingly, for the above-mentioned reasons, Applicant respectfully submits that the claims are allowable over the cited reference. Consequently, Applicant respectfully requests reconsideration and allowance of the claims as currently presented.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made"**.

<u>VERSION WITH MARKINGS TO SHOW CHANGES MADE</u>

<u>IN THE CLAIMS</u>

1. (Amended) A method for providing a user with an album including a plurality of pages, the method comprising the steps of:

(a)   allowing a user to purchase at least a portion of the album, the portion of the album including a portion of the plurality of pages;

(b)   allowing the user to set a plurality of defaults for the plurality of pages, at least one default of the plurality of plurality of defaults capable of being altered using information provided by the user;

(c)   receiving from the user the information, if any, and a plurality of images captured using a digital imaging device, <u>wherein the information receiving step (c) further includes the step of:</u>

<u>(c1)   receiving a tag stored in at least one image file for a first portion of the plurality of images, the tag for altering at least one default of the plurality of defaults for the first portion of the plurality of images</u>;

(d)   altering the at least one default if the user has provided the information;

(e)   providing the portion of the plurality of pages using the plurality of defaults; and
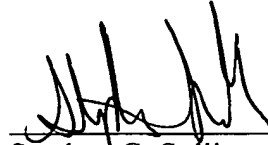
(f)   allowing the user access to the at least the portion of the album.

6. (Amended) The method of claim 5 wherein [the] a <u>second</u> portion of the plurality of images include sound and wherein the step of providing the portion of the plurality of pages further includes the steps of:

(e1)   printing the portion of the plurality of pages; and

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issue remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

Stephen G. Sullivan
Sawyer Law Group LLP
Attorney for Applicant(s)
Reg. No. 38,329
(650) 493-4540

(e2)´   providing a mechanism for a user to hear the sound for the second portion of the

plurality of images.

7. (Amended) [The method of claim 6] A method for providing a user with an album

including a plurality of pages, the album being a printed photo album, the method comprising the

steps of:

_____(a)   allowing a user to purchase at least a portion of the album, the portion of the

album including a portion of the plurality of pages;

_____(b)   allowing the user to set a plurality of defaults for the plurality of pages, at least

one default of the plurality of plurality of defaults capable of being altered using information

provided by the user;

_____(c)   receiving from the user the information, if any, and a plurality of images captured

using a digital imaging device, wherein a portion of the plurality of images include sound;

_____(d)   altering the at least one default if the user has provided the information;

_____(e)   providing the portion of the plurality of pages using the plurality of defaults, the

portion of the plurality of pages providing step (e) further including the steps of

_____(e1)   printing the portion of the plurality of pages; and

_____(e2)   providing a mechanism for a user to hear the sound for the portion of the plurality

of images wherein the mechanism includes a printed stripe playable by a scanning device and

wherein the providing step (e1) further includes the step of:

(e1i)   providing the scanning device to the user; and

_____(f)   allowing the user access to the at least the portion of the album by providing the

portion of the plurality of pages to the user.

20. (Amended) A system for providing a user with an album including a plurality of pages, the system comprising:

at least one storage subsystem for storing an identity of a user who has purchased at least a portion of the album and a plurality of defaults for the plurality of pages, a portion of the plurality of defaults capable of being set by the user, at least one default of the plurality of plurality of defaults capable of being altered using information provided by the user; and

a server for receiving a plurality of images captured by a digital camera and provided by the user, the server also for receiving information provided by the user, if any, altering the at least one default if the user has provided the information, the server for providing the portion of the plurality of pages using the plurality of defaults;

wherein the information includes a tag stored in at least one image file for a first portion of the plurality of images, the tag for altering the at least one default for the first portion of the plurality of images.

25. (Amended) The system of claim 24 wherein [the] a second portion of the plurality of images include sound and the system further provides a mechanism for a user to hear the sound for the portion of the plurality of images.

26. (Amended) [The system of claim 25] A system for providing a user with an album including a plurality of pages, the album being a printed album, the system comprising:

at least one storage subsystem for storing an identity of a user who has purchased at least a portion of the album and a plurality of defaults for the plurality of pages, a portion of the plurality of defaults capable of being set by the user, at least one default of the plurality of plurality of defaults capable of being altered using information provided by the user;

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a server for receiving a plurality of images captured by a digital camera and provided by the user, the server also for receiving information provided by the user, if any, altering the at least one default if the user has provided the information, the server for providing the portion of the plurality of pages using the plurality of defaults;

a printing means for printing the portion of the plurality of pages;

wherein the a portion of the plurality of images include sound and the system further provides a mechanism for a user to hear the sound for the portion of the plurality of images; and

wherein the printing means further prints a stripe playable by a scanning device and wherein the scanning device is provided to the user.